

# ARTICLE 10. HISTORIC CORE NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

## PURPOSE OF THE HISTORIC CORE NEIGHBORHOODS

The Historic Core Neighborhoods are the neighborhoods that developed during the City's colonial period, including adjacent areas that continued those development patterns. Consisting of the Vieux Carré, Faubourg Marigny, Tremé, Bywater, and portions of surrounding neighborhoods, the Historic Core Neighborhoods reflect a scale resulting from historically pedestrian movement.

The non-residential districts of the Historic Core Neighborhoods contain regulations to preserve and reflect the historic development pattern and the dense mixed-use environment. The districts allow for a variety of uses, including residential, commercial and entertainment, integrated throughout the district as a whole and at times within a single structure.

## CHARACTER OF THE HISTORIC CORE NEIGHBORHOODS

The character of the non-residential districts of the Historic Core Neighborhoods is defined by:

- » Numerous historic structures that date to the end of the 18<sup>th</sup> century and early part of the 19<sup>th</sup> century, which are protected by historic district regulations and the Vieux Carré Commission and Historic District Landmarks Commission
- » A mixed-use, pedestrian-oriented environment, including a variety of residential dwelling types and commercial uses integrated throughout the neighborhood as well as within a square
- » Dense development patterns with minimal to no setbacks between structures and between structures and the street
- » Structures vary in height from single story cottages to four stories, often designed with commercial uses on the ground floor and residences above



# ARTICLE 10. HISTORIC CORE NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

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## 10.1 PURPOSE STATEMENTS

### A. Purpose of the VCC-1 Vieux Carré Commercial District

The VCC-1 Vieux Carré Commercial District is intended to provide for restricted retail stores and service establishments that will attract and service local residents and tourists, and that will not adversely affect the character of nearby residences or detract from the overall character of the Vieux Carré.

### B. Purpose of the VCC-2 Vieux Carré Commercial District

The VCC-2 Vieux Carré Commercial District is intended to provide for retail and service establishments that attract and service local residents and visitors, permitting more intensive commercial uses than in the VCC-1 District, yet protecting the quality of life of the adjacent residential uses and the overall character of the Vieux Carré. This district includes the major shopping area of the Vieux Carré.

### C. Purpose of the VCE Vieux Carré Entertainment District

The purpose of this district is to provide for entertainment places and restricted retail stores that attract and serve visitors and local residents.

### D. Purpose of the VCE-1 Vieux Carré Entertainment District

The purpose of this district is to provide for entertainment places and restricted retail stores along Decatur and N. Peters Streets that attract and serve visitors and local residents.

### E. Purpose of the VCS Vieux Carré Service District

The VCS Vieux Carré Service District is intended to provide for the redevelopment of areas near the Mississippi River that were historically developed with industrial and commercial uses as a mixed-use area, with ground-floor retail and commercial uses and residential uses above. This district also promotes the improvement, beautification and redevelopment of existing surface parking lots and their redevelopment with structured parking and a mixture of commercial and residential uses. Existing commercial uses that do not adversely affect residential uses or the overall character of the Vieux Carré are also intended to be accommodated in the VCS-1 District.

### F. Purpose of the VCS-1 Vieux Carré Service District

The VCS-1 Vieux Carré Service District is intended to provide for the redevelopment of areas near the Mississippi River that were historically developed with industrial and commercial uses as a mixed-use area, with ground-floor retail and commercial uses and

residential uses above. This district also promotes the improvement, beautification and redevelopment of existing surface parking lots and their redevelopment with structured parking and a mixture of commercial and residential uses. Existing commercial uses that do not adversely affect residential uses or the overall character of the Vieux Carré are also intended to be accommodated in the VCS-1 District. Hotels may be considered as part of the redevelopment of historic structures through the conditional use process.

**G. Purpose of the HMC-1 Historic Marigny/Tremé/Bywater Commercial District**

The HMC-1 Historic Marigny/Tremé/Bywater Commercial District is intended to provide for restricted retail stores and service establishments that will attract tourists and local residents without adversely affecting either the character of the historic Marigny/Tremé/Bywater area or nearby residences.

**H. Purpose of the HMC-2 Historic Marigny/Tremé/Bywater Commercial District**

The HMC-2 Historic Marigny/Tremé/Bywater Commercial District is intended to permit more intensive commercial uses than the HMC-1 District, yet protect the historic character of the Marigny/Tremé/Bywater area. The district includes the peripheral properties in Marigny/Tremé/Bywater that front on major traffic arteries and can provide access for more intense commercial uses.

**I. Purpose of the HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District**

The HM-MU Historic Marigny/Tremé/Bywater Mixed-Use District is intended to provide a mixed-use environment of light industrial, commercial, and residential uses that would not adversely affect the historic character of the neighborhood. Compatibility of such uses and structures with one another and with the area is encouraged through the development review process.

**J. Purpose of the VCP Vieux Carré Park District**

The VCP Vieux Carré Park District is intended to provide for parks, public facilities, and associated uses along the Vieux Carré riverfront. Parks and open space are encouraged and are permitted uses. Conditional use review is required for all other uses to ensure compatibility of the character of the Vieux Carré with the maritime use and scale of the waterfront.

**10.2 USES**

**A. Permitted and Conditional Uses**

Only those uses of land listed under Table 10-1: Permitted and Conditional Uses as permitted uses or conditional uses are allowed within the Historic Core Neighborhood Districts. A “P” indicates that a use is permitted within that zoning district. A “C” indicates that a use is a conditional use in that zoning district and would require a conditional use approval as required in Section 4.3 (Conditional Use). No letter (i.e., a blank space) or the absence of the use from the table indicates that use is not permitted within that zoning district.

**B. Use Restrictions**

**1. Existing Hotel Uses in the Vieux Carré Districts**

- a.** An existing hotel in a Vieux Carré District may be maintained, structurally altered, or extended within its legal non-conforming footprint, provided that there is no increase in the number of sleeping rooms or suites, and said maintenance, alteration or

extension is in accord with applicable district regulations including, but not limited to, height and open space requirements and provided further that such extension is limited to the accommodation of accessory uses. A conditional use is required for such alterations or extension in accordance with Section 4.3.

- b. Existing hotels in the VCC-2, VCE, and VCS Districts containing more than thirty (30) rooms may provide live entertainment subject to applicable ordinances relative to licensing procedures. All entertainment shall be within an enclosed structure.

## **2. Adult Use Restrictions in the Vieux Carré Districts**

Adult uses are prohibited in the area bounded by Ursuline Avenue, Barracks, Decatur, and North Peters Streets

## **3. VCS and VCS-1 District Floor Area Limitation**

In the VCS and VCS-1 Districts, a wholesale goods establishment is limited to twenty-five thousand (25,000) square feet of floor area.

## **4. Personal Service Establishments in the VCE District**

In the VCE District, massage establishments are prohibited.

## **5. HMC-1 District Floor Area Limitation**

In the HMC-1 District, the floor area of commercial uses is limited as follows:

- a. Commercial uses are permitted uses up to three thousand (3,000) square feet of gross floor area, unless conditional use approval is required per Table 10-1.
- b. Conditional use approval is required for any commercial use of three thousand (3,000) to five thousand (5,000) square feet of total floor area.
- c. Any commercial use over five thousand (5,000) square feet of total floor area is prohibited. This applies only to new construction as of the effective date of this Ordinance. The establishment of a commercial use within an existing structure that as of the effective date of this Ordinance has more than five thousand (5,000) square feet of gross floor area requires conditional use approval.

## **6. HMC-2 District Floor Area Limitation**

In the HMC-2 District, any non-residential use of more than ten thousand (10,000) square feet of gross floor area is a conditional use.

## **7. HMC-2 District Live Entertainment Limitation**

In the HMC-2 District, a live performance venue and/or live entertainment – secondary use is limited to one (1) per blockface.

## **8. T-shirt Shops in the Vieux Carré Districts**

In any Vieux Carré District, T-shirt shops are prohibited.

TABLE 10-1: PERMITTED AND CONDITIONAL USES											
USE <sup>1</sup>	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	USE STANDARDS
<b>RESIDENTIAL USE</b>											
Bed and Breakfast – Accessory								P	P	P	Section 20.3.I
Bed and Breakfast – Principal								P	P	P	Section 20.3.I
Day Care Home, Adult or Child – Small	P	P			P	P		P	P	P	Section 20.3.T
Day Care Home, Adult or Child – Large	C	C			C	C		C	C	C	Section 20.3.T
Dwelling, Above the Ground Floor	P	P	P	P	P	P		P	P	P	
Dwelling, Single-Family	P	P			P	P		P	P	P	
Dwelling, Two-Family	P	P			P	P		P	P	P	Section 20.3.Y
Dwelling, Multi-Family	P	P			P	P		P	P	P	
Group Home, Small	P	P			P	P		P	P	P	Section 20.3.GG
Group Home, Large	P	P			P	P		P	P	P	Section 20.3.GG
Group Home, Congregate	C	C			C	C		P	P	P	Section 20.3.GG
Permanent Supportive Housing	P	P			P	P		P	P	P	Section 20.3. PP
Residential Care Facility	P	P			P	P		P	P	P	Section 20.3.YY
<b>COMMERCIAL USE</b>											
Adult Use			P								Section 20.3.B
Amusement Facility, Indoor			P	P	P	P		C	C	C	Section 20.3.E
Animal Hospital		P			P	P				P	
Art Gallery	P	P	P	P	P	P		P	P	P	
Arts Studio	P	P	P	P	P	P		P	P	P	
Bar			P	C	C	C		C	C	C	Section 20.3.G
Broadcast Studio										P	
Catering Kitchen	P	P	P	P	P	P		P	P	P	
Cigar Bar		C <sup>6</sup>									
Day Care Center, Adult or Child – Small	P	P			P	P		P	P	P	Section 20.3.S
Day Care Center, Adult or Child – Large	C	C			C	C		P	P	P	Section 20.3.S
Day Care Center, Adult or Child – Commercial	C	C			C	C		C	C	C	Section 20.3.S
Financial Institution	P	P			P	P		P	P	P	
Funeral Home									P		
Health Club		P			P	P		P	P	P	
Heavy Sales, Rental & Service										P	
Hostel									P		
Hotel/Motel									P	C	
Live Entertainment – Secondary Use			P	P					C <sup>2</sup>	C	Section 20.3.JJ
Live Performance Venue			P	P					C <sup>2</sup>	C	Section 20.3.JJ
Maritime Use		C			C	C	C			C	
Medical/Dental Clinic		P			P	P		C	P	P	

TABLE 10-1: PERMITTED AND CONDITIONAL USES											
USE <sup>1</sup>	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	USE STANDARDS
Micro-Brewery									P	P	
Micro-Distillery									P	P	
Motor Vehicle Service and Repair, Minor										P	Section 20.3.MM
Off-Track Betting Facility			C								
Office	P	P	C	C	P	P		P	P	P	
Personal Service Establishment	P	P	P <sup>3</sup>		P	P		P	P	P	
Public Market		P			P	P		P	P	P	Section 20.3.TT
Recording Studio		P			P	P			P	P	
Restaurant, Specialty	P	P	P	P	P	P		P	P	P	Section 20.3.ZZ
Restaurant, Standard	P	P	P	P	P	P		P	P	P	Section 20.3.ZZ
Retail Goods Establishment	P	P	P	P	P	P		P	P	P	
Retail Sales of Packaged Alcoholic Beverages					C	C		C	C	C	
<b>INDUSTRIAL USE</b>											
Brewery									P <sup>5</sup>	P <sup>5</sup>	
Food Processing										P	
Manufacturing, Artisan								P	P	P	
Manufacturing, Light										P	
Mardi Gras Den										P	
Marine Terminal							C				
Maritime Use							C				
Mini-Warehouse		C			C	C				P	
Printing Establishment					P	P		P	P	P	
Research & Development					P	P				P	
Warehouse										P	
Wholesale Goods Establishment					P	P		P	P	P	
<b>INSTITUTIONAL USE</b>											
Community Center	C	C	C	C	C	C	C	P	P	P	
Convent and Monastery	P	P			P	P		P	P		
Cultural Facility	C	P	C	C	P	P	C	P	P	P	Section 20.3.R
Educational Facility, Vocational		P			P	P		P	P	P	Section 20.3.Z
Educational Facility, Primary	P	P			P	P		P	P	P	Section 20.3.Z
Educational Facility, Secondary	P	P			P	P		P	P	P	Section 20.3.Z
Government Offices		P			P	P		P	P	P	
Hospitality Center		P			P	P			P	P	
Place of Worship	P	P			P	P		P	P	P	
Public Works and Safety Facility		C			C	C		C	C	P	
Social Club or Lodge								P	P	P	Section 20.3.CCC
<b>OPEN SPACE USE</b>											
Agriculture – No Livestock	P	P	P	P	P	P	P	P	P	P	Section 20.3.C
Horse Stables (Commercial)								C	C	C	Section 20.3.HH
Parks and Playgrounds	P	P	P	P	P	P	P	P	P	P	

TABLE 10-1: PERMITTED AND CONDITIONAL USES											
USE <sup>1</sup>	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	USE STANDARDS
Stormwater Management (Principal Use)	C	C	C	C	C	C	C	C	C	C	Section 23.12
<b>OTHER</b>											
Parking Lot (Principal Use)					C	C			C	C	Section 20.3.OO
Parking Structure (Principal Use)		C			C	C		P	P	P	Section 20.3.OO
Public Transit Wait Station	C	C	C	C	C	C	C	C	C	C	Section 21.6.BB
Pumping Station	P	P	P	P	P	P	P	P	P	P	Section 20.3.UU
Utilities	P	P	P	P	P	P	P	P	P	P	Section 20.3.GGG
Wireless Telecommunications Antenna & Facility	C,P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	C, P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	C,P <sup>4</sup>	Section 20.3.JJJ
Wireless Telecommunications Tower & Facility	C	C	C	C	C	C	C	C	C	C	Section 20.3.JJJ

#### TABLE 10-1 FOOTNOTES

<sup>1</sup> The terms in this column ("Use") are defined in Article 26.

<sup>2</sup> Subject to the use restrictions in Section 10.2.B.7.

<sup>3</sup> Subject to the use restriction in Section 10.2.B.4.

<sup>4</sup> Only wireless telecommunications antennas that comply with the stealth design standards of Section 20.3.JJJ are considered permitted uses.

<sup>5</sup> Only breweries that produce fewer than 12,500 barrels per year are considered permitted uses.

<sup>6</sup> In the VCC-2, Cigar bars shall close by 9:00 p.m. on Monday through Thursday, or by 11:00 p.m. on Friday, Saturday and Sunday.

### **10.3 SITE DESIGN STANDARDS**

#### **A. General Regulations**

Table 10-2: Bulk and Yard Regulations establish bulk and yard regulations for the Historic Core Neighborhood Districts. (Highlighted letters in Table 10-2 indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

#### **B. Building Height in Vieux Carré Districts**

Buildings of a lesser height than that permitted in Table 10-2 may be required by the Vieux Carré Commission. These height regulations do not apply to public utilities.

#### **C. Open Space Ratio**

1. In the Vieux Carré Districts, all yards and courts may be included as open space when computing the open space ratio. However, this open space shall be unobstructed from grade level to the sky. Where balconies, roof overhangs, galleries, stairways, storage areas, or similar projections are located in a yard or court, the area of the projection cannot be counted as open space for the open space ratio calculation.
2. For residential uses in the Historic Core Neighborhood Districts, heating, ventilation, and air conditioning (HVAC) equipment is excluded from the open space ratio calculation (i.e., it will be considered qualifying open space) when it meets the following standards:
  - a. The equipment is ground-mounted.
  - b. The equipment is a single-condenser unit.
  - c. The equipment is located and screened according to the requirements of Section 21.6.T (Mechanical Equipment).

#### **D. Encroachment into Public Right-of-Way**

Within the Historic Core Neighborhood Districts, new construction is encouraged to include common architectural features that encroach into the public right-of-way, such as galleries, stoops, and balconies, in keeping with the established development pattern. A long-term grant of servitude from the Department of Property Management is required for this type of encroachment.

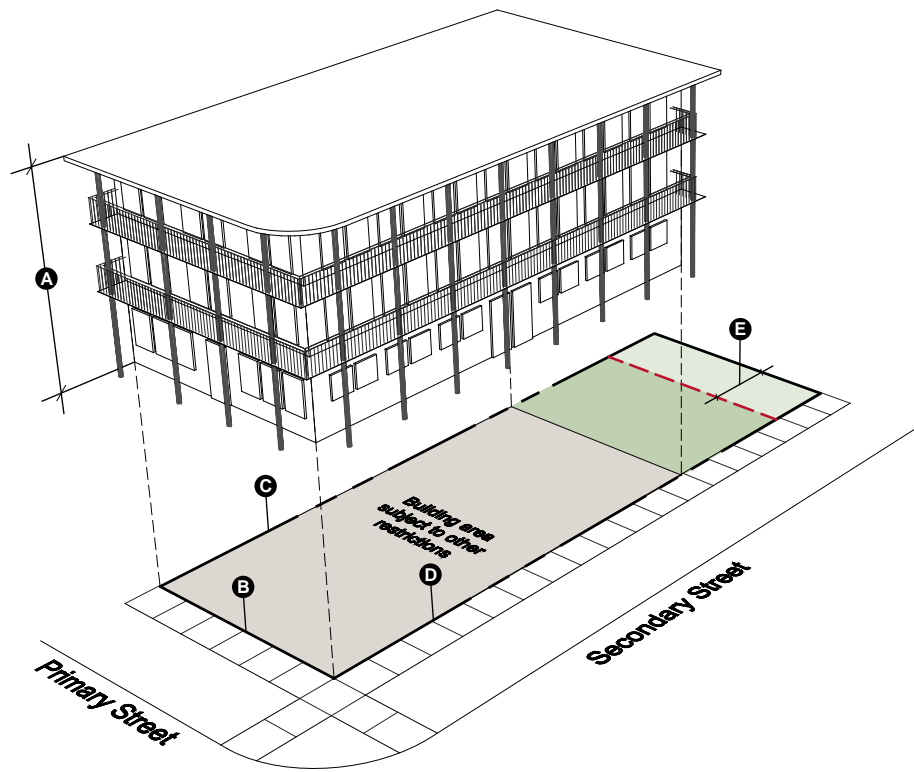


TABLE 10-2: BULK & YARD REGULATIONS											
BULK & YARD REGULATIONS		DISTRICTS									
		VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU
BULK REGULATIONS											
	MINIMUM LOT AREA	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	None	SF: 1,500sf/du 2F: 1,200sf/du MF: 900sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,000sf/du MF – 3 Units: 800sf/du MF – 4+ Units: 600sf/du Non-Residential: None
A	MAXIMUM BUILDING HEIGHT	50'	50'	50'	50'	50'	50'	50'	40'	50'	55'
	MINIMUM OPEN SPACE RATIO	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	By Lot Type Corner: .20 Interior: .30	Residential or Mixed-Use: .30 Non-Residential: .20	Residential or Mixed-Use: .30 Non-Residential: None	Residential or Mixed Use: .30 Non-Residential None
	MAXIMUM FAR	None	None	None	None	None	None	None	1.4	2.2	2.5
	MAXIMUM TOTAL FLOOR AREA <sup>1</sup>								Non-Residential: 3,000sf	Non-Residential: Any use over 10,000sf is a conditional use	
MINIMUM YARD REQUIREMENTS											
B	FRONT YARD	None	None	None	None	None	None	None	None	None	None
C	INTERIOR SIDE YARD	None	None	None	None	None	None	None	None	None	None
D	CORNER SIDE YARD	None	None	None	None	None	None	None	None	None	None
E	REAR YARD	None	None	None	None	None	None	None	None	None	None

**TABLE 10-2 FOOTNOTES**

<sup>1</sup>Total floor area limits per commercial use

## Historic Core Neighborhoods - Commercial (Vieux Carré Districts)



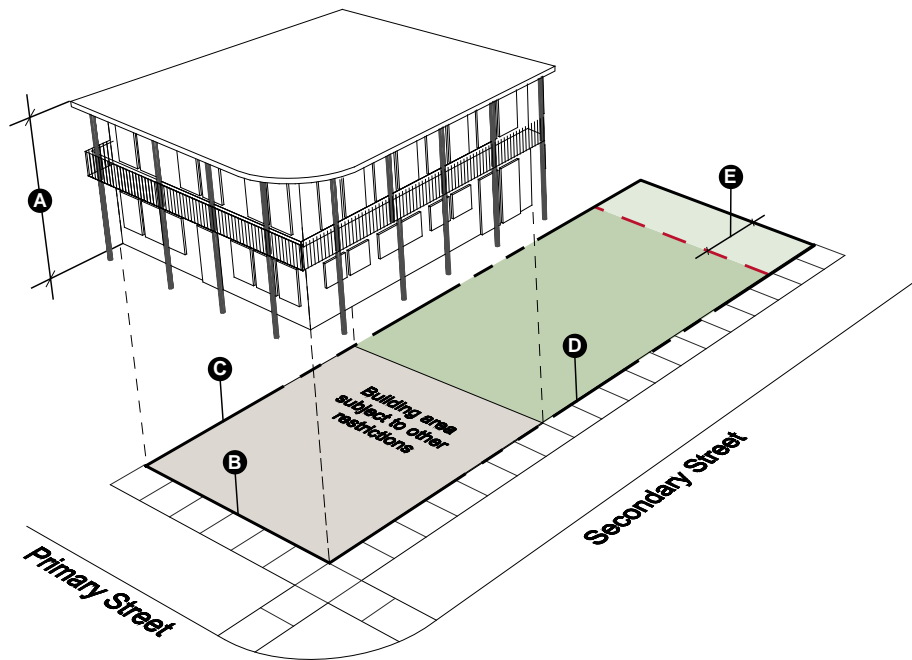
*Illustration of site development standards*



***Range of potential building forms (not all development outcomes represented)***

*Photographs may be substituted at the discretion of the Executive Director of the City Planning Commission with the approval of the City Planning Commission.*

## Historic Core Neighborhoods - Commercial (Historic Marigny/Tremé/Bywater Districts)



*Illustration of site development standards*



### ***Range of potential building forms (not all development outcomes represented)***

*Photographs may be substituted at the discretion of the Executive Director of the City Planning Commission with the approval of the City Planning Commission.*

#### **10.4 REQUIRED OPEN SPACE IN THE VCP DISTRICT**

- A.** All land and water areas shall be maintained as open space in the area of the VCP District bounded by the floodwall, the Mississippi River, St. Peter Street (extended), and Ursulines Street (extended). Enclosed structures, with the exception of accessory buildings, and off-street parking areas are prohibited.
- B.** Seventy-five percent (75%) of the land area shall be maintained as open space in the area of the VCP Park District bounded by the floodwall, Esplanade Avenue (extended), the Mississippi River, and Ursulines Street (extended). The open space area may not be encumbered by enclosed structures or off-street parking areas, except for building service areas, including loading docks and staging areas, etc. Street rights-of-way are not calculated in the open space requirement.
- C.** Seventy-five percent (75%) of the land area shall be maintained as open space in the area of the VCP District bounded by the floodwall, Canal Street, the Mississippi River, and St. Peter Street (extended). The open space area may not be encumbered by enclosed structures or off-street parking areas, except building service areas, including loading docks and staging areas, etc.

#### **10.5 PERMITTED RESIDENTIAL CONVERSIONS IN THE VIEUX CARRÉ DISTRICTS**

- A.** In the Vieux Carré Districts, upon approval of the Vieux Carré Commission and the Board of Zoning Adjustments, an existing structure with a floor area ratio that equals or exceeds three (3), may be converted to a multi-family dwelling provided that the minimum lot area is four hundred (400) square feet per dwelling unit.
- B.** When a proposed conversion scheme provides verification that the exterior building envelope will not be increased, except for minor expansions necessary to allow compliance with applicable building codes, such as exterior stairwells or similar means of access, the following additional standards shall be met:
  - 1.** The minimum dwelling unit size is eight-hundred (800) square feet.
  - 2.** The minimum lot area is three-hundred forty (340) square feet per dwelling unit.

#### **10.6 DESIGN STANDARDS FOR VIEUX CARRÉ DISTRICTS**

The Vieux Carré Commission's Design Guidelines contain the procedures and compatible architectural details for properties located in the Vieux Carré Historic District.

#### **10.7 DESIGN STANDARDS FOR HISTORIC MARIGNY/TREMÉ/BYWATER DISTRICTS**

The following standards shall apply to all sites, except single and two-family residential dwellings:

- A.** For new construction, ADA accessible ramps and lifts shall be visually unobtrusive, preferably through internalized ramps or sloped walkways.
- B.** All buildings shall be oriented towards a public or private street in terms of architectural interest and building access.

## **10.8 GENERAL STANDARDS OF APPLICABILITY**

All Historic Core Neighborhood Districts are subject to the following standards:

### **A. Accessory Structures and Uses**

See Section 21.6 for standards governing accessory structures and uses.

### **B. Temporary Uses**

See Section 21.8 for standards governing temporary uses.

### **C. Site Development Standards**

See Article 21 for additional site development standards such as exterior lighting, environmental performance standards, and permitted encroachments.

### **D. Off-Street Parking and Loading**

See Article 22 for standards governing off-street parking and loading.

### **E. Landscape, Stormwater Management, and Screening**

See Article 23 for standards governing landscape, stormwater management, and screening.

### **F. Signs**

See Article 24 for standards governing signs.

### **G. Overlay Districts**

See Article 18 for additional overlay district regulations, when applicable.

### **H. Nonconformities**

See Article 25 for regulations governing nonconformities.